

WK:AB
F. #2023R00666

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
----- X

UNITED STATES OF AMERICA

- against -

JUSTIN NUDELMAN,

Defendant.

----- X

THE GRAND JURY CHARGES:

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.
* OCTOBER 31, 2023 *
BROOKLYN OFFICE

I N D I C T M E N T

Cr. No. 23-CR-437
(T. 18, U.S.C., §§ 922(o)(1), 924(a)(2),
924(d)(1) and 3551 et seq.; T. 21, U.S.C.,
§ 853(p); T. 26, U.S.C., §§ 5845(a)(6),
5845(b), 5861(d), 5871 and 5872(a); T. 28,
U.S.C., § 2461(c))

Judge Ann M. Donnelly
Magistrate Judge Vera M. Scanlon

COUNT ONE
(Possession of Machineguns)

1. On or about and between July 16, 2023 and September 7, 2023, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant JUSTIN NUDELMAN did knowingly and intentionally possess one or more machineguns, to wit: nine machinegun conversion devices designed and intended solely and exclusively for use in converting a semi-automatic pistol into a machinegun.

(Title 18, United States Code, Sections 922(o)(1), 924(a)(2) and 3551 et seq.;
Title 26, United States Code, Section 5845(b))

COUNT TWO
(Possession of Unregistered Firearms)

2. On or about and between July 16, 2023 and September 7, 2023, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant JUSTIN NUDELMAN did knowingly and intentionally possess one or more firearms which were not registered to him in the National Firearms Registration and Transfer Record, to

wit: nine machinegun conversion devices designed and intended solely and exclusively for use in converting a semi-automatic pistol into a machinegun.

(Title 26, United States Code, Sections 5861(d), 5845(a)(6), 5845(b) and 5871;
Title 18, United States Code, Section 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION AS TO COUNT ONE

3. The United States hereby gives notice to the defendant that, upon his conviction of the offense charged in Count One, the government will seek forfeiture in accordance with Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), which require the forfeiture of any firearm or ammunition involved in or used in any knowing violation of Title 18, United States Code, Section 922, including but not limited to the following assets, all seized by law enforcement on or about September 7, 2023 on Staten Island, New York:

- (a) nine privately made machinegun conversion devices;
- (b) one GlockStore, Model SS80, 9 millimeter pistol, privately made firearm modeled after a Glock Model 43, 9 millimeter pistol;
- (c) one privately made pistol lower receiver modeled after a semi-automatic pistol, along with an upper receiver and related firearm components;
- (d) 12 privately made firearms, including lower receivers and/or frames for semi-automatic pistols; and
- (e) assorted ammunition.

4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;

- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided

without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 924(d)(1); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

CRIMINAL FORFEITURE ALLEGATION AS TO COUNT TWO

5. The United States hereby gives notice to the defendant that, upon his conviction of the offense charged in Count Two, the government will seek forfeiture in accordance with Title 26, United States Code, 5872(a) and Title 28, United States Code, Section 2461(c), which require the forfeiture of any firearm involved in any violation of Title 26, United States Code, Section 5861(d), including but not limited to the following assets, all seized by law enforcement on or about September 7, 2023 on Staten Island, New York:

- (a) nine privately made machinegun conversion devices;
- (b) one GlockStore, Model SS80, 9 millimeter pistol, privately made firearm modeled after a Glock Model 43, 9 millimeter pistol;
- (c) one privately made pistol lower receiver modeled after a semi-automatic pistol, along with an upper receiver and related firearm components; and

(d) 12 privately made firearms, including lower receivers and/or frames for semi-automatic pistols.

6. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 21, United States Code, Section 853(p); Title 26, United States Code, Section 5872(a); Title 28, United States Code, Section 2461(c))

A TRUE BILL


FOREPERSON

By Carolyn Pokorny, Assistant U.S. Attorney

BREON PEACE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

F #: 2023R00666
FORM DBD-34
JUN. 85

No.

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

JUSTIN NUDELMAN,

Defendant.

INDICTMENT

(T. 18, U.S.C., §§ 922(o)(1), 924(a)(2), 924(d)(1) and 3551 et seq.; T. 21, U.S.C., § 853(p); T. 26, U.S.C., §§ 5845(a)(6), 5845(b), 5861(d), 5871 and 5872(a); T. 28, U.S.C., § 2461(c))

A true bill.

Mary Beth Glickman

Foreperson

Filed in open court this _____ day,

of _____ A.D. 2023

Clerk

Bail, \$ _____

Arun Bodapati, Trial Attorney (718) 254-6250